

MA0003913 - PN TO APP
PS Form 3800, June 1991

UNITED STATES
POSTAL SERVICE

**Receipt for
Certified Mail**
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

P 175 115 571

| | | |
|--|---------------------------------------|---|
| Sent to Acushnet Co. (Rubber Div.) | Street and No. 744 Belleville Ave. | P.O. State and ZIP Code N. Bedford, MA 02742 |
| Postage | \$ | |
| Certified Fee | | |
| Special Delivery Fee | | |
| Restricted Delivery Fee | | |
| Return Receipt Showing to Whom & Date Delivered | | |
| Return Receipt Showing to Whom, Date, and Addressee's Address | | |
| TOTAL Postage & Fees | \$ | |
| Postmark or Date | | |

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☒ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: (Rubber Div.)
ACUSHNET COMPANY
744 BELLEVILLE AVE.
P.O. BOX E914
N. BEDFORD, MA 02742-0914
(MA0003913 - PN TO APP)

4a. Article Number
P 175 115 571

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7a. Date of Delivery

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)
[Signature]

NOV 21 1994

Thank you for using Return Receipt Service.

MASSACHUSETTS DEPARTMENT OF U.S. ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL PROTECTION WATER MANAGEMENT DIVISION
COMMONWEALTH OF MASSACHUSETTS WATER COMPLIANCE BRANCH
1 WINTER STREET REGION I
BOSTON, MASSACHUSETTS 02108 JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203

PUBLIC NOTICE OF THE ENVIRONMENTAL PROTECTION AGENCY'S INTENTION TO
TERMINATE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT TO DISCHARGE INTO THE WATERS OF THE UNITED STATES UNDER
SECTIONS 301 AND 402 OF THE CLEAN WATER ACT (THE "ACT"), AS
AMENDED.

PUBLIC NOTICE NUMBER: MA-009-95

PUBLIC COMMENT PERIOD: NOVEMBER 17, 1994 THROUGH DECEMBER 16, 1994

PERMIT INFORMATION:

PERMIT NAME: Acushnet Company, Rubber Division

MAILING ADDRESS: 744 Belleville Avenue
P.O. Box E916
New Bedford, MA 02742-0916

PERMIT NUMBER: MA0003913

The facility which has been the source of a wastewater discharge to the Acushnet River was issued a permit to discharge on November 11, 1986 which was due to expire on November 20, 1991. This facility is engaged in manufacture of custom molded rubber. The permit pertains to the operational discharges consisting of belt cooling water, non-contact cooling water and roof drain runoff. These discharge points are no longer active since the facility is recycling its cooling waters and has obtained coverage under the general stormwater permit for its roof drain runoff.

TERMINATION OF THE PERMIT:

EPA's Environmental Permit Regulations, 40 C.F.R. Section 124.5(d), 48 Federal Register 14268 (April 1, 1983), specify that the Agency must issue a notice of intention to terminate when an NPDES permit is going to be terminated during its term pursuant to 40 C.F.R. §122.64, 48 Federal Register 14175.

Since there is no longer a discharge from this facility and the discharge was terminated prior to permit expiration due to a change in conditions as specified in 40 C.F.R. §122.64(a)(4), the Agency intends to terminate this permit.

If, in the future, this facility wishes to resume a discharge to waters of the United States, an application for discharge must be made to this Agency at least 180 days in advance of the proposed discharge. (See 40 C.F.R. §122.21). Any treatment required to meet the conditions of a new NPDES permit shall be installed prior to discharge to the waters.

FURTHER INFORMATION:

The fact sheet or statement of basis (describing the reason for terminating the permit) may be obtained at no cost by writing or calling EPA's contact person named below:

Diane Castricone
EPA Water Compliance Branch, WCP
J.F.K. Federal Building
Boston, Massachusetts 02203
Telephone: (617) 565-3936

The administrative record containing all documents relating to the termination of this permit is on file and may be inspected at the EPA Boston office mentioned above between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday except holidays. Copies of all such information may be obtained at a cost of \$.20 per page by writing or calling EPA's contact person named above.

PUBLIC COMMENT AND REQUEST FOR PUBLIC HEARING:

All persons, including the permittee, who believe the termination of this permit is inappropriate, must raise all issues and submit all available arguments and all supporting material for their arguments in full by DECEMBER 16, 1994, to the U.S. Environmental Protection Agency, Water Compliance Branch, J.F.K. Federal Building, Boston, Massachusetts 02203. Any person, prior to such date, may submit a request in writing to EPA and the State Agency for a public hearing to consider the termination of this permit. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty days public notice whenever the Regional Administrator finds that response to this notice indicates significant public interest. In reaching a final decision on the intention to terminate this permit, the Regional Administrator will respond to all significant comments and make these responses available to the public at EPA's Boston office.

FINAL PERMIT DECISION AND APPEALS:

Following the close of the comment period, and after a public hearing if such hearing is held, the Regional Administrator will issue a final decision to the permittee and each person who has submitted written comments or requested notice. Within 30 days

following the notice of the final permit decision any interested person may submit a request for a formal hearing to reconsider or contest the final decision. Requests for formal hearings must satisfy the requirements of 40 C.F.R. §124.74, 48 Fed. Reg. 14279-14280 (April 1, 1983).

ANDREW GOTTLIEB, DIRECTOR
MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION
BUREAU OF RESOURCE PROTECTION

DAVID A. FIERRA, DIRECTOR
WATER MANAGEMENT DIVISION
ENVIRONMENTAL PROTECTION AGENCY

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION I
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203

STATEMENT OF BASIS

PROPOSED TERMINATION OF A NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

NPDES PERMIT NO.: MA0003913

NAME AND ADDRESS OF PERMITTEE: Acushnet Company
Rubber Division
744 Belleville Avenue
P.O. Box E916
New Bedford, MA 02742-0916

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Acushnet Company
Rubber Division
744 Belleville Avenue
New Bedford, MA 02742-0916

RECEIVING WATER: Acushnet River

CLASSIFICATION: B

PROPOSED ACTION, TYPE OF FACILITY, AND DISCHARGE LOCATION:

The above named facility which has been the source of a wastewater discharge to the Acushnet River has discontinued the discharge of cooling water by using a recycling system and has obtained coverage of the general stormwater permit for stormwater runoff. This facility is engaged in custom molded rubber manufacture. The discharge was from operations including belt cooling water, non-contact cooling water and roof drain runoff. Since there is no longer a direct discharge from this facility, the Agency proposes to terminate the NPDES permit issued on November 20, 1986.

BASIS FOR EPA'S TENTATIVE DECISION TO TERMINATE:

On July 28, 1994 the permittee submitted a letter to the Agency stating that the process discharge has gone to a recycling system and coverage under the general stormwater permit for the roof drain runoff has occurred.

Based on this information, the Agency has tentatively decided to terminate the NPDES permit which was due to expire on November 20, 1991, but administratively continued under the Administrative Procedures Act (APA), pursuant to the provisions of 40 C.F.R. §122.64, 48 Fed. Reg. 14175 (April 1, 1983).

EPA CONTACT:

Additional information concerning EPA's intention to terminate this permit may be obtained between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, except holidays from:

Diane Castricone, Environmental Protection Specialist
EPA Water Compliance Branch, WCP
J.F.K. Federal Building
Boston, Massachusetts 02203
Telephone: (617) 565-3936

DATE: November 14, 1994

David A. Fierra, Director
Water Management Division
Environmental Protection Agency

MR. JOHN FRADLEY MONROE
Executive Director
Charles River Watershed
Association, Inc.
2391 Commonwealth Avenue
Auburndale, MA 02166

MS. ARLEEN O'DONNELL
Director, Environmental Affairs
MA Audubon Society
Lincoln, MA 01773

MR. DAVE COOPER
Manager, Marketing & Sales
Briggs Association, Inc.
400 Hingham Street
Rockland, MA 02370

MR. ROLAND DUPUIS
Deputy Regional Engineer
Dept. of Env. Protection
436 Dwight Street, 4th Floor
Springfield, MA 01103

MR. PATRICK DORCUS
Greenway Coordinator
694 Main Street
West Newbury, MA 01985-1206

MS. SALLY SNYDER
Chairman, Board of Selectmen
Town of Hopkinton
Town Hall
18 Main Street
Hopkinton, MA 01748

CONNECTICUT RIVER
WATERSHED COUNCIL
One Ferry Street
Easthampton, MA 01027

WESTERN AREA ONLY (3)

\\ / \\ / \\ /

CENTRAL AREA ONLY (1)

\\ / \\ / \\ /

MR. DAVID STAR
P.O. Box 184
Charlemont, MA 01339

REGIONAL ENVIRONMENTAL COUNCIL
P.O. Box 255
Worcester, MA 01613

MR. GLENN DROHAN
Berkshire Eagle
14 Ashland Street
North Adams, MA 01247

CITIZENS AWARENESS GROUP NTWK.
P.O. Box 83
Shelburne Falls, MA 01370

*APP
State City of...
WP 11/5/94*

MA STATE LIST

THE STANDARD-TIMES

S. VERONICA C. HARRINGTON
Chief, NPDES Program
Operation Section
US EPA, Region I (WCP)
US Federal Building
Boston, MA 02203

MR. DUNCAN McINNES
Programs Administrator
NH Fish & Game
2 Hazen Drive
Concord, NH 03301

DR. JOHN J. COCHRANE, P.E.
Cochrane Associates
Consulting Engineers
155 Mass. Avenue, #300
Boston, MA 02115-3025

COMMANDING OFFICER
SCG Marine Safety Office
P.O. Box 1-8
Portland, ME 04112-0108

MR. TODD BURROWS
ME Audubon Society
118 US Route One
P.O. Box 6009
Falmouth, ME 04105

MS. AILEEN G. KATZ
Acting Chair
League of Women Voters
207 North Main Street
Concord, NH 03301-5048

MR. HUGH F. MULLIGAN
Director, Gulf of Maine
Research Center
104 Lafayette Street
Salem, MA 01970

MS. CRYSTAL A. SHELLEY
Environmental Planner
Berkshire County Reg. Comm.
10 Fenn Street
Pittsfield, MA 01201

MR. E. L. GREEN
President
ETA Associates Inc.
23 Farwell Street
Newton, MA 02160

MR. RALPH GOODNO
Executive Director
Merrimac River Watershed Coun.
594 Main Street
West Newbury, MA 01985

MR. JOHN L. DANIELS
Manager, Gov't Liaison Serv.
Whitman & Howard, Inc.
45 William Street
Wellesley, MA 02181

MR. RAY THOMPSON
Chief, Env. Studies Sec.
US EPA, ESD
60 Westview Street
Lexington, MA 02173

MR. GEORGE BERLANDI
NH Water Supply & Pollution
Control Division
NH Dept. of Env. Services
6 Hazen Drive, P.O. Box 95
Concord, NH 03301

ORGANIZATION FOR THE
ASSABET RIVER
Damon Mill Square
Concord, MA 01742

MR. PAUL SUSCA
Dir. of Water Resources
Nashua River Water Assoc.
592 Main Street
Groton, MA 01459

MR. ANTHONY E. PERROTTI
President, RI Analytical
Laboratories, Inc.
41 Illinois Avenue
Warwick, RI 02888

PLANNING BOARD
Town Hall
Winthrop, MA 02152

MS. MARCELLS RAUSCHER
Research Coordinator
CES Library
Williams College
P.O. Box 632
Williamstown, MA 01267

MR. JAMES F. SIMON
Senior Project Attorney
Natural Res. Defense Council
40 W 20th Street, 11th Floor
New York, NY 10011

TIMSON, SCHEPPS, & PETERS
Environmental Permitting
Services, Inc.
P.O. Box 150
Hallowell, ME 04347

REGIONAL LIST

MR. NORMAN GORDON
Vice President
David Gordon Associates
P.O. Box 96
90 Oak Street
Newton Upper Falls, MA 02164

MS. HEATHER WESTRA
Penobscot Nation
6 River Road
Old Town, ME 04468

~~PENOBSCOT NATION
Department of Trust &
Responsibilities
Community Building
Indian Island, ME 04468~~



MR. ROBERT MARTIN, SHPO
Agency Counsel/
Agency of Development &
Community Affairs
109 State Street
Montpelier, VT 05609-0501

MR. FREDERICK C. WILLIAMSON, SHPO
RI Historical Preservation
Old State House
150 Benefit Street
Providence, RI 02903

MR. RICHARD MASON
Acting Assistant Director
Permitting & Enforcement Sec.
Water Management Bureau
CT DEP - P.O. Box 5066
79 Elm Street
Hartford, CT 06102-5066

MR. JOHN W. SHANNAHAN, SHPO
Director, CT Historical Comm.
59 South Prospect Street
Hartford, CT 06106

MR. GEORGE AVITABILE
Deputy Commissioner
Environmental Protection
CT DEP - Preservation &
Conservation Division
79 Elm Street
Hartford, CT 06115

MR. DAVID BOARDING
Chief, Division of Fish
and Wildlife
Government Center
4808 Tower Hill Road
Wakefield, RI 02879

MR. CARMINE DiBATTISTA
CT - Department of Environmental
Protection
79 Elm Street
Hartford, CT 06106

MR. EDWARD SZYMANSKI
RI DEM - Division of
Water Resources
291 Promenade Street
Providence, RI 02908

MR. JACK LONG
Commissioner
Agency of Environmental
Conservation
103 South Main Street
Waterbury, VT 05676

MR. WILLIAM LAWLESS, P.E.
Chief, Regulatory Branch
U.S. Army Engineer Div., N.E.
424 Trapelo Road
Waltham, MA 02254

MS. JENNY BRIDGE
Environmental Scientist
NE Interstate Water Pollution
Control Commission
255 Ballardvale St., 2nd Floor
Wilmington, MA 01887-1013

NORTH ATLANTIC REGIONAL MGR.
NOAA/OCRM/CP
1305 East West Highway
Silver Spring, MD 20910

H. L. DEIBEL, Dept. Head
Oklahoma State Univ.-OKC
The Dept. of Energy &
Env. Resource Management
900 N. Portland Avenue
Okl. City, OK 73107-6195

MA ONLY (9)

✓
OFFICE OF COMMISSIONER
MA Department of Fisheries
and Wildlife
100 Cambridge Street
Room 1902
Boston, MA 02202

MA and NH ONLY IF BORDERING:
CT River or VT Hoosic River (1)

MR. PERCY PACHECO
Environmental Engineer
SEA Division
1305 East West Highway
Station 9540
Silver Spring, MD 20910

MR. NORMAN GORDON
Vice President
David Gordon Associates
P.O. Box 96
90 Oak Street
Newton Upper Falls, MA 02164

MR. GARY SCHULTZ
Agency of Env. Conservation
Dept. of Env. Protection
and Environmental Eng.
West Office Building
103 South Main Street
Waterbury, VT 05676

MS. ALISON McKECHIE
Water Quality Specialist
c/o Save The Bay
434 Smith Street
Providence, RI 02908-3732

MR. STEPHEN D. ANDERSON
Anderson & Kreiger
Attorneys at Law
The Bulfinch Building
47 Thorndike Street
Cambridge, MA 02141

NH ONLY (4)

PROJECT REVIEW COORDINATOR
MA Coastal Zone Mgmt. Off.
100 Cambridge Street
Room 2006
Boston, MA 02202

ME ONLY (3)

MR. RICHARD L. KELLER
Aquatic Biologist
Div. of Fisheries & Wildlife
Field Headquarters
One Rabbit Hill Road
Westboro, MA 01581

MR. WILLIAM FERDINAND
Senior Planner
State House, Station 21
Augusta, ME 04333

MR. STEVE ROBERTS
Senior Sanitary Engineer
NH - DES
P.O. Box 95
Concord, NH 03302-0095

MR. PHILIP COATES
Director, MA Division
of Marine Fisheries
State Office Building
100 Cambridge Street
Boston, MA 02202

MR. WILLIAM BRENNAN
Commissioner, Department
of Marine Resources
Baker Building
State House, Station 21
Augusta, ME 04333

MS. NANCY MULLER, SHPO
Director, Division of
Historical Resources
and State Historic
19 Pillsbury Street
P.O. Box 2043
Concord, NH 03302-2043

MR. DELBERT DOWNING
Chairman, NH Water Res. Bd.
64 Main Street
P.O. Box 2008
Concord, NH 03302-2008

MS. JUDITH McDONOUGH, SHPO
Executive Director
MA Historical Commission
80 Boylston Street
Suite 310
Boston, MA 02116

MR. EARLE G. SHETTLEWORTH, JR.
Director, Maine Historic
Preservation Commission
55 Capitol Street, Station 65
Augusta, ME 04333

DONALD A. NORMANDEAU, Ph.D.
Executive Director
State of New Hampshire
Fish & Game Department
2 Hazen Drive
Concord, NH 03301

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION
COMMONWEALTH OF MASSACHUSETTS
1 WINTER STREET
BOSTON, MASSACHUSETTS 02108

U.S. ENVIRONMENTAL PROTECTION AGENCY
WATER MANAGEMENT DIVISION
WATER COMPLIANCE BRANCH
REGION I
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203

PUBLIC NOTICE OF THE ENVIRONMENTAL PROTECTION AGENCY'S INTENTION TO
TERMINATE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT TO DISCHARGE INTO THE WATERS OF THE UNITED STATES UNDER
SECTIONS 301 AND 402 OF THE CLEAN WATER ACT (THE "ACT"), AS
AMENDED.

PUBLIC NOTICE NUMBER:

PUBLIC COMMENT PERIOD:

PERMIT INFORMATION:

PERMIT NAME: Acushnet Company, Rubber Division

MAILING ADDRESS: 744 Belleville Avenue
P.O. Box E916
New Bedford, MA 02742-0916

PERMIT NUMBER: MA0003913

The facility which has been the source of a wastewater discharge to
the Acushnet River was issued a permit to discharge on November 11,
1986 which was due to expire on November 20, 1991. This facility
is engaged in manufacture of custom molded rubber. The permit
pertains to the operational discharges consisting of belt cooling
water, non-contact cooling water and roof drain runoff. These
discharge points are no longer active since the facility is
recycling its cooling waters and has obtained coverage under the
general stormwater permit for its roof drain runoff.

TERMINATION OF THE PERMIT:

EPA's Environmental Permit Regulations, 40 C.F.R. Section 124.5(d),
48 Federal Register 14268 (April 1, 1983), specify that the Agency
must issue a notice of intention to terminate when an NPDES permit
is going to be terminated during its term pursuant to 40 C.F.R.
§122.64, 48 Federal Register 14175.

Since there is no longer a discharge from this facility and the
discharge was terminated prior to permit expiration due to a change
in conditions as specified in 40 C.F.R. §122.64(a)(4), the Agency
intends to terminate this permit.

| CONCURRENCES | | | | | | | |
|--------------|-----------------|--|--|--|--|--|--|
| SYMBOL | <i>EW/CB</i> | | | | | | |
| SURNAME | <i>Seigman</i> | | | | | | |
| DATE | <i>11/16/94</i> | | | | | | |

If, in the future, this facility wishes to resume a discharge to waters of the United States, an application for discharge must be made to this Agency at least 180 days in advance of the proposed discharge. (See 40 C.F.R. §122.21). Any treatment required to meet the conditions of a new NPDES permit shall be installed prior to discharge to the waters.

FURTHER INFORMATION:

The fact sheet or statement of basis (describing the reason for terminating the permit) may be obtained at no cost by writing or calling EPA's contact person named below:

Diane Castricone
EPA Water Compliance Branch, WCP
J.F.K. Federal Building
Boston, Massachusetts 02203
Telephone: (617) 565-3936

The administrative record containing all documents relating to the termination of this permit is on file and may be inspected at the EPA Boston office mentioned above between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday except holidays. Copies of all such information may be obtained at a cost of \$.20 per page by writing or calling EPA's contact person named above.

PUBLIC COMMENT AND REQUEST FOR PUBLIC HEARING:

All persons, including the permittee, who believe the termination of this permit is inappropriate, must raise all issues and submit all available arguments and all supporting material for their arguments in full by _____, to the U.S. Environmental Protection Agency, Water Compliance Branch, J.F.K. Federal Building, Boston, Massachusetts 02203. Any person, prior to such date, may submit a request in writing to EPA and the State Agency for a public hearing to consider the termination of this permit. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty days public notice whenever the Regional Administrator finds that response to this notice indicates significant public interest. In reaching a final decision on the intention to terminate this permit, the Regional Administrator will respond to all significant comments and make these responses available to the public at EPA's Boston office.

FINAL PERMIT DECISION AND APPEALS:

Following the close of the comment period, and after a public hearing if such hearing is held, the Regional Administrator will issue a final decision to the permittee and each person who has submitted written comments ~~concerning~~ concerning notice. Within 30 days

| | | | | | | | |
|---------|--|--|--|--|--|--|--|
| SYMBOL | | | | | | | |
| SURNAME | | | | | | | |
| DATE | | | | | | | |

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

following the notice of the final permit decision any interested person may submit a request for a formal hearing to reconsider or contest the final decision. Requests for formal hearings must satisfy the requirements of 40 C.F.R. §124.74, 48 Fed. Reg. 14279-14280 (April 1, 1983).

ANDREW GOTTLIEB, DIRECTOR
MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION
BUREAU OF RESOURCE PROTECTION

DAVID A. FIERRA, DIRECTOR
WATER MANAGEMENT DIVISION
ENVIRONMENTAL PROTECTION AGENCY

0

| CONCURRENCES | | | | | | | |
|--------------|--|--|--|--|--|--|--|
| SYMBOL | | | | | | | |
| SURNAME | | | | | | | |
| DATE | | | | | | | |

U.S. ENVIRONMENTAL PROTECTION AGENCY
 REGION I
 JOHN F. KENNEDY FEDERAL BUILDING
 BOSTON, MASSACHUSETTS 02203

STATEMENT OF BASIS

PROPOSED TERMINATION OF A NATIONAL POLLUTANT DISCHARGE ELIMINATION
 SYSTEM (NPDES) PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

NPDES PERMIT NO.: MA0003913

NAME AND ADDRESS OF PERMITTEE: Acushnet Company
 Rubber Division
 744 Belleville Avenue
 P.O. Box E916
 New Bedford, MA 02742-0916

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Acushnet Company
 Rubber Division
 744 Belleville Avenue
 New Bedford, MA 02742-0916

RECEIVING WATER: Acushnet River

CLASSIFICATION: B

PROPOSED ACTION, TYPE OF FACILITY, AND DISCHARGE LOCATION:

The above named facility which has been the source of a wastewater discharge to the Acushnet River has discontinued the discharge of cooling water by using a recycling system and has obtained coverage of the general stormwater permit for stormwater runoff. This facility is engaged in custom molded rubber manufacture. The discharge was from operations including belt cooling water, non-contact cooling water and roof drain runoff. Since there is no longer a direct discharge from this facility, the Agency proposes to terminate the NPDES permit issued on November 20, 1986.

BASIS FOR EPA'S TENTATIVE DECISION TO TERMINATE:

On July 28, 1994 the permittee submitted a letter to the Agency stating that the process discharge has gone to a recycling system and coverage under the general stormwater permit for the roof drain runoff has occurred.

Based on this information, the Agency has tentatively decided to terminate the NPDES permit ~~which was due to expire on November 20,~~

| | |
|---------|---|
| SYMBOL | 1991, but administratively continued under the Administrative |
| SURNAME | Procedures Act (APA), pursuant to the provisions of 40 C.F.R. |
| DATE | §122.64, 48 Fed. Reg. 14175 (April 1, 1983) |

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

EPA CONTACT:

Additional information concerning EPA's intention to terminate this permit may be obtained between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, except holidays from:

Diane Castricone, Environmental Protection Specialist
EPA Water Compliance Branch, WCP
J.F.K. Federal Building
Boston, Massachusetts 02203
Telephone: (617) 565-3936

DATE: November 14, 1994

David A. Fierra, Director
Water Management Division
Environmental Protection Agency

CONCURRENCES

| | | | | | | | |
|---------|--|--|--|--|--|--|--|
| SYMBOL | | | | | | | |
| SURNAME | | | | | | | |
| DATE | | | | | | | |

PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

☐ Show to whom, date and address of delivery.

☐ Restricted Delivery.

3. Article Addressed to:

Final

MA0003913-Acushnet Co.

4. Type of Service:

☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

P509361683

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature - Addressee

Signature - Agent

7. Date of Delivery

NOV 24 1986

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

NOV 21 1986

Mr. John J. Bailey, Jr.
Acushnet Company
Rubber Division - Plant B
P.O. Box E-916
New Bedford, MA 02742

Re: NPDES Application No. MA0003913

Dear Mr. Bailey:

Enclosed is your final National Pollutant Discharge Elimination System (NPDES) permit issued pursuant to the Clean Water Act (the "Federal Act"), as amended, and the Massachusetts Clean Waters Act (the "State Act"), 21 M.G.L. §§43-45, as amended. The Environmental Permit Regulations, at 40 C.F.R. §124.15, 48 Fed. Reg. 14271 (April 1, 1983), require this permit to become effective on the date specified in the permit.

Also enclosed is a copy of the Agency's response to the comments received on the draft permit and information relative to hearing requests and stays of NPDES permits. Should you desire to request a formal hearing, your request should be submitted to the Agency as outlined in the enclosure and a similar request should also be filed with the Director of the Massachusetts Division of Water Pollution Control in accordance with the provisions of the Massachusetts Administrative Procedures Act and the Division's Rules for the Conduct of Adjudicatory Proceedings. Hearing requests should be filed with the State within 21 days of receipt of this letter.

We appreciate your cooperation throughout the development of this permit. Should you have any questions concerning the permit, feel free to contact Kenneth Chin, of my staff at 617/565-3504.

Sincerely,

Edward K. McSweeney, Chief
Compliance Branch

Enclosures

CONCURRENCES

| | | | | |
|---------|---|-----------------|--|--|
| SYMBOL | cc: State Water Pollution Control Agency | | | |
| SURNAME | All Interested Parties | <i>Shuflet</i> | | |
| DATE | EPA:1W:WOB:Kenneth Chin/mm/11/19/86/disk Ltr VIII #2/3-5050 | <i>11/20/86</i> | | |

RESPONSE TO COMMENTS

NO SIGNIFICANT COMMENTS WERE RECEIVED ON THE DRAFT PERMIT FOR THIS FACILITY; THEREFORE, NO RESPONSE WAS PREPARED.

HEARING REQUESTS

If you wish to contest any of the provisions of this permit you may request a formal hearing within 30 days of receipt of this letter. The request should be submitted to the Regional Hearing Clerk at the following address:

Regional Hearing Clerk
U.S. Environmental Protection Agency
Office of Regional Counsel (ORC)
John F. Kennedy Federal Building
Room 2203
Boston, MA 02203

Any request for a formal hearing must conform to the requirements of 40 C.F.R. §124.74 (b) and (c). You should also be aware that no issues can be raised at a hearing that were not previously raised on the draft permit unless good cause is shown. See 40 C.F.R. §124.76.

Copies of 40 C.F.R. §§124.74 and 124.76 are enclosed for your information.

STAYS OF NPDES PERMITS

NEW SOURCE, NEW DISCHARGER, RECOMMENCING DISCHARGER

Should the Agency receive and grant a request for a formal hearing, you shall be without a permit pending final Agency action, unless an order authorizing operation is obtained from the Presiding Officer, in accordance with the provisions of 40 C.F.R. §§124.16 (a)(1) and 124.60 (a)(1) and (2).

EXISTING SOURCES

Should the Agency receive and grant a request for a formal hearing, the contested provisions of the permit will be stayed and will not become effective until the administrative review process is completed, in accordance with 40 C.F.R. §§124.16 and 124.60(c). All uncontested provisions of the permit will be effective and enforceable in accordance with the provisions of 40 C.F.R. §124.60(c)(5).

Copies of 40 C.F.R. §§124.16 and 124.60 are enclosed for your information.

§ 124.16 Stays of contested permits conditions.

(a) *Stays.* (1) If a request for review of a RCRA or UIC permit under § 124.19 or an NPDES permit under § 124.74 or § 124.114 is granted or if conditions of a RCRA or UIC permit are consolidated for reconsideration in an evidentiary hearing on an NPDES permit under §§ 124.74, 124.82 or 124.114, the effect of the contested permit conditions shall be stayed and shall not be subject to judicial review pending final agency action. (No stay of a PSD permit is available under this section.) If the permit involves a new facility or new injection well, new source, new discharger or a recommencing discharger, the applicant shall be without a permit for the proposed new facility, injection well, source or discharger pending final agency action. See also § 124.60.

(2) Uncontested conditions which are not severable from those contested shall be stayed together with the contested conditions. Stayed provisions of permits for existing facilities, injection wells, and sources shall be identified by the Regional Administrator. All other provisions of the permit for the existing facility, injection well, or source shall remain fully effective and enforceable.

(b) *Stays based on cross effects.* (1) A stay may be granted based on the grounds that an appeal to the Administrator under § 124.19 of one permit may result in changes to another EPA-issued permit only when each of the permits involved has been appealed to the Administrator and he or she has accepted each appeal.

(2) No stay of an EPA-issued RCRA, UIC, or NPDES permit shall be granted based on the staying of any State-issued permit except at the discretion of the Regional Administrator and only upon written request from the State Director.

(c) Any facility or activity holding an existing permit must:

(1) Comply with the conditions of that permit during any modification or revocation and reissuance proceeding under § 124.5; and

(2) To the extent conditions of any new permit are stayed under this section, comply with the conditions of the existing permit which correspond to the stayed conditions, unless compliance with the existing conditions would be technologically incompatible with compliance with other conditions of the new permit which have not been stayed.

§ 124.60 Issuance and effective date and stays of NPDES permits.

In addition to the requirements of § 124.15, the following provisions apply to NPDES permits and to RCRA or UIC permits to the extent those permits may have been consolidated with an NPDES permit in a formal hearing:

(a)(1) If a request for a formal hearing is granted under § 124.75 or § 124.114 regarding the initial permit issued for a new source, a new discharger, or a recommending discharger, or if a petition for review of the denial of a request for a formal hearing with respect to such a permit is timely filed with the Administrator under § 124.91, the applicant shall be without a permit pending final Agency action under § 124.91.

(2) Wherever a source subject to this paragraph has received a final permit under § 124.15 which is the subject of a hearing request under § 124.74 or a formal hearing under § 124.75, the Presiding Officer, on motion by the source, may issue an order authorizing it to begin operation before final agency action if it complies with all conditions of that final permit during the period until final agency action. The Presiding Officer may grant such a motion in any case where no party opposes it, or, if a party opposes the motion, where the source demonstrates that (i) it is likely to prevail on the merits; (ii) irreparable harm to the environment will not result pending final agency action if it is allowed to commence operations before final agency action; and (iii) the public interest requires that the source be allowed to commence operations. All the conditions of any permit covered by that order shall be fully effective and enforceable.

(b) The Regional Administrator, at any time prior to the rendering of an initial decision in a formal hearing on a permit, may withdraw the permit and prepare a new draft permit under § 124.6 addressing the portions so withdrawn. The new draft permit shall proceed through the same process of public comment and opportunity for a public hearing as would apply to any other draft permit subject to this Part. Any portions of the permit which are not withdrawn and which are not stayed under this section shall remain in effect.

(c)(1) If a request for a formal hearing is granted in whole or in part under § 124.75 regarding a permit for an existing source, or if a petition for review of the denial of a request for a formal hearing with respect to that permit is timely filed with the

Administrator under § 124.91, the force and effect of the contested conditions of the final permit shall be stayed. The Regional Administrator shall notify, in accordance with § 124.75, the discharger and all parties of the uncontested conditions of the final permit that are enforceable obligations of the discharger.

(2) When effluent limitations are contested, but the underlying control technology is not, the notice shall identify the installation of the technology in accordance with the permit compliance schedules (if uncontested) as an uncontested, enforceable obligation of the permit.

(3) When a combination of technologies is contested, but a portion of the combination is not contested, that portion shall be identified as uncontested if compatible with the combination of technologies proposed by the requester.

(4) Uncontested conditions, if inseparable from a contested condition, shall be considered contested.

(5) Uncontested conditions shall become enforceable 30 days after the date of notice under paragraph (c)(1) of this section granting the request. If, however, a request for a formal hearing on a condition was denied and the denial is appealed under § 124.91, then that condition shall become enforceable upon the date of the notice of the Administrator's decision on the appeal if the denial is affirmed, or shall be stayed, in accordance with this section, if the Administrator reverses the denial and grants the evidentiary hearing.

(6) Uncontested conditions shall include:

(i) Preliminary design and engineering studies or other requirements necessary to achieve the final permit conditions which do not entail substantial expenditures;

(ii) Permit conditions which will have to be met regardless of which party prevails at the evidentiary hearing;

(iii) When the discharger proposed a less stringent level of treatment than that contained in the final permit, any permit conditions appropriate to meet the levels proposed by the discharger, if the measures required to attain that less stringent level of treatment are consistent with the measures required to attain the limits proposed by any other party; and

(iv) Construction activities, such as segregation of waste streams or installation of equipment, which would partially meet the final permit conditions and could also be used to achieve the discharger's proposed alternative conditions.

(d) If at any time after a hearing is granted and after the Regional Administrator's notice under paragraph (c)(1) of this section it becomes clear that a permit requirement is no longer contested, any party may request the Presiding Officer to issue an order identifying the requirements as uncontested. The requirement identified in such order shall become enforceable 30 days after the issuance of the order.

(e) When a formal hearing is granted under § 124.75 on an application for a renewal of an existing permit, all provisions of the existing permit as well as uncontested provisions of the new permit, shall continue fully enforceable and effective until final agency action under § 124.91. (See § 122.6) Upon written request from the applicant, the Regional Administrator may delete requirements from the existing permit which unnecessarily duplicate uncontested provisions of the new permit.

(f) When issuing a finally effective NPDES permit the conditions of which were the subject of a formal hearing under Subparts E or F, the Regional Administrator shall extend the permit compliance schedule to the extent required by a stay under this section provided that no such extension shall be granted which would:

(1) Result in the violation of an applicable statutory deadline; or

(2) Cause the permit to expire more than 5 years after issuance under § 124.15(a).

Note.—Extensions of compliance schedules under § 124.60(f)(2) will not automatically be granted for a period equal to the period the stay is in effect for an effluent limitation. For example, if both the Agency and the discharger agree that a certain treatment technology is required by the CWA where guidelines do not apply, but a hearing is granted to consider the effluent limitations which the technology will achieve, requirements regarding installation of the underlying technology will not be stayed during the hearing. Thus, unless the hearing extends beyond the final compliance date in the permit, it will not ordinarily be necessary to extend the compliance schedule. However, when application of an underlying technology is challenged, the stay for installation requirements relating to that technology would extend for the duration of the hearing.

(g) For purposes of judicial review under CWA section 509(b), final agency action on a permit does not occur unless and until a party has exhausted its administrative remedies under Subparts E and F and § 124.91. Any party which neglects or fails to seek review under § 124.91 thereby waives its opportunity to exhaust available agency remedies.

§ 124.74 Requests for evidentiary hearing.

(a) Within 30 days following the service of notice of the Regional Administrator's final permit decision under § 124.15, any interested person may submit a request to the Regional Administrator under paragraph (b) of this section for an evidentiary hearing to reconsider or contest that decision. If such a request is submitted by a person other than the permittee, the person shall simultaneously serve a copy of the request on the permittee.

(b)(1) In accordance with § 124.76, such requests shall state each legal or factual question alleged to be at issue, and their relevance to the permit decision, together with a designation of the specific factual areas to be adjudicated and the hearing time estimated to be necessary for adjudication. Information supporting the request or other written documents relied upon to support the request shall be submitted as required by § 124.73 unless they are already part of the administrative record required by § 124.18.

Note.—This paragraph allows the submission of requests for evidentiary hearings even though both legal and factual issues may be raised, or only legal issues may be raised. In the latter case, because no factual issues were raised, the Regional Administrator would be required to deny the request. However, on review of the denial the Administrator is authorized by § 124.91(a)(1) to review policy or legal conclusions of the Regional Administrator. EPA is requiring an appeal to the Administrator even of purely legal issues involved in a permit decision to ensure that the Administrator will have an opportunity to review any permit before it will be final and subject to judicial review.

(2) Persons requesting an evidentiary hearing on an NPDES permit under this section may also request an evidentiary hearing on a RCRA or UIC permit. PSD permits may never be made part of an evidentiary hearing under Subpart E. This request is subject to all the requirements of paragraph (b)(1) of this section and in addition will be granted only if:

(i) Processing of the RCRA or UIC permit at issue was consolidated with the processing of the NPDES permit as provided in § 124.4;

(ii) The standards for granting a hearing on the NPDES permit are met;

(iii) The resolution of the NPDES permit issues is likely to make necessary or appropriate modification of the RCRA or UIC permit; and

(iv) If a PSD permit is involved, a permittee who is eligible for an evidentiary hearing under Subpart E on his or her NPDES permit requests that the formal hearing be conducted under the procedures of Subpart F and the Regional Administrator finds that consolidation is unlikely to delay final permit issuance beyond the PSD one-year statutory deadline.

(c) These requests shall also contain:

(1) The name, mailing address, and telephone number of the person making such request;

(2) A clear and concise factual statement of the nature and scope of the interest of the requester;

(3) The names and addresses of all persons whom the requester represents; and

(4) A statement by the requester that, upon motion of any party granted by the Presiding Officer, or upon order of the Presiding Officer *sua sponte* without cost or expense to any other party, the requester shall make available to appear and testify, the following:

(i) The requester;

(ii) All persons represented by the requester; and

(iii) All officers, directors, employees, consultants, and agents of the requester and the persons represented by the requester.

(5) Specific references to the contested permit conditions, as well as suggested revised or alternative permit conditions (including permit denials) which, in the judgment of the requester, would be required to implement the purposes and policies of the CWA.

(6) In the case of challenges to the application of control or treatment technologies identified in the statement of basis or fact sheet, identification of the basis for the objection, and the alternative technologies or combination of technologies which the requester believes are necessary to meet the requirements of the CWA.

(7) Identification of the permit obligations that are contested or are inseparable from contested conditions and should be stayed if the request is granted by reference to the particular contested conditions warranting the stay.

(8) Hearing requests also may ask that a formal hearing be held under the procedures set forth in Subpart F. An applicant may make such a request even if the proceeding does not constitute "initial licensing" as defined in § 124.111.

(d) If the Regional Administrator grants an evidentiary hearing request, in whole or in part, the Regional Administrator shall identify the permit conditions which have been contested by the requester and for which the evidentiary hearing has been granted. Permit conditions which are not contested or for which the Regional Administrator has denied the hearing request shall not be affected by, or considered at, the evidentiary hearing. The Regional Administrator shall specify these conditions in writing in accordance with § 124.60(c).

(e) The Regional Administrator must grant or deny all requests for an evidentiary hearing on a particular permit. All requests that are granted for a particular permit shall be combined in a single evidentiary hearing.

(f) The Regional Administrator (upon notice to all persons who have already submitted hearing requests) may extend the time allowed for submitting hearing requests under this section for good cause.

§ 124.76 Obligation to submit evidence and raise issues before a final permit is issued.

No evidence shall be submitted by any party to a hearing under this Subpart that was not submitted to the administrative record required by § 124.18 as part of the preparation of and comment on a draft permit, unless good cause is shown for the failure to submit it. No issues shall be raised by any party that were not submitted to the administrative record required by § 124.18 as part of the preparation of and comment on a draft permit unless good cause is shown for the failure to submit them. Good cause includes the case where the party seeking to raise the new issues or introduce new information shows that it could not reasonably have ascertained the issues or made the information available within the time required by § 124.15; or that it could not have reasonably anticipated the relevance or materiality of the information sought to be introduced. Good cause exists for the introduction of data available on operation authorized under § 124.60(a)(2).



Thomas C. McMahon
Director

The Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Department of Environmental Quality Engineering
Division of Water Pollution Control
One Winter Street, Boston 02108

September 29, 1986

Edward K. McSweeney, Chief
Compliance Branch
Water Management Division
Environmental Protection Agency
John F. Kennedy Building
Boston, Massachusetts 02203

Re: Water Quality Certification
NPDES Permit MA0003913
Acushnet Co. - Rubber Division
New Bedford

Dear Mr. McSweeney:

Your office has requested this Division to issue a water quality certification pursuant to Section 401(a) of the Federal Clean Water Act ("the Federal Act") and 40 CFR 124.53 for the above referenced draft NPDES permit. The Division has reviewed the draft and has determined that certain modifications of the permit conditions are required to assure compliance with sections 208(e), 301, 302, 303, 306 and 307 of the Federal Act, and with the provisions of the Massachusetts Clean Water Act, M.G.L.c.21, ss 26-53 ("the State Act") and regulations promulgated thereunder.

Part I. A.1. (p.2 of 6)

1. Add temperature limitation: 80°F max. daily; monitor monthly; grab sample
2. Add concentration limitation for Oil & Grease; 15 mg/l max. daily

Part I. A.2. (p. of 6)

1. Add COD limitation; monitor only; quarterly; grab sample.

The Division hereby certifies that the referenced permit, modified as described above, will satisfy the requirements of sections 208(e), 301, 302, 303, 306 and 307 of the Federal Act, and the provisions of the State Act and regulations adopted thereunder. None of the conditions of the permit may be made less stringent without violating the requirements of the State Act and the Massachusetts Water Quality Standards.

Very truly yours,

Thomas C. McMahon

Thomas C. McMahon
Director

TCM/GDG/saj

DATE:

SUBJECT: Review of Draft NPDES Permits

FROM: Stephen J. Silva, Chief, Industrial Permits Section

TO: ^{Larry Buell}~~William Butler~~, Chief, Planning and Standards Section

The following draft NPDES permit is being prepared for issuance/reissuance. Please review to insure compatibility with water quality.

Date Comments Due: *ASAP*Permit Number: *MA0003913* Permit Writer: *Kenneth S. Shu*Name: *Acushnet Company* Type of Discharge:Location: *New Bedford*Receiving Water: *Acushnet River* Major Basin: Minor Basin:

Flow

Basis for Permit limits (See attached fact sheet or statement of Basis)

Permit Limits *See draft Permit.*BOD₅

TSS

P.

NH₃

D.O.

Other

Planning and Standards Section Comments

☒

Permit Acceptable

☐

Potential Problem

☐

Major Revision Required

CFP 8/7/86

PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3 Article Addressed to **MA0003913**
Mr. Jack Bailly
Mgr of Safety & Security
Acushnet Company, 744 Belleville Ave.
Rubber Div., New Bedford, MA 02745

4 Type of Service: Article Number
☐ Registered ☐ Insured
☒ Certified ☐ COD **P509361446**
☐ Express Mail

Always obtain signature of addressee or agent and
DATE DELIVERED.

5 Signature - Addressee

X

6 Signature - Agent

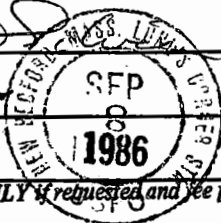
X

7 Date of Delivery

9/8/86

8 Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT



PS Form 3811, July 1983 447-845

| | |
|---|------------------------------|
| SENDER: Complete items 1, 2, 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. <u>The return receipt fee will provide you the name of the person delivered to and the date of delivery.</u> For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested. | |
| 1. <input type="checkbox"/> Show to whom, date and address of delivery. | |
| 2. <input type="checkbox"/> Restricted Delivery. | |
| 3. Article Addressed to: Sharon Jones MA0003913 MADWPC One Winter St. <i>State</i> Boston, MA 02108 <i>cert.</i> | |
| 4. Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail | Article Number P509361445 |
| Always obtain signature of addressee or agent and <u>DATE DELIVERED.</u> | |
| 5. Signature - Addressee X D. E. Q. E. | |
| 6. Signature - Agent X | |
| 7. Date of Delivery <i>9/4</i> One Winter Street | |
| 8. Addressee's Address <i>ONLY if repeated and different</i> Boston, MA 02108 | |

DOMESTIC RETURN RECEIPT

P 509 361

CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse).

| | |
|--|----|
| Sent to <i>Sharon Jones</i> | |
| Street and No. <i>MA 00039</i> | |
| P.O., State and ZIP Code <i>Winter St. Boston</i> | |
| Postage | \$ |
| Certified Fee | |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | |
| Return Receipt Showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | \$ |
| Postmark or Date <i>MA 00039 K3</i> <i>State Cert.</i> | |

PS Form 3800, Feb. 1982

SEP 3 1986

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Thomas McMahon, Director
 Massachusetts Division of
 Water Pollution Control
 Commonwealth of Massachusetts
 1 Winter Street
 Boston, Massachusetts 02108

Dear Mr. McMahon:

Enclosed is a copy of the following draft permit prepared pursuant to 40 C.F.R. §124.6, 48 Fed. Reg. 14268 (April 1, 1983). This permit has been discussed with your staff.

Permit NumberName of Permittee

MA0003913

Acushnet Company, Rubber Division

EPA may not issue a permit until a state certification is granted or waived in accordance with the Clean Water Act, Section 401(a)(1) and pursuant to 40 C.F.R. §124.55. By transmittal of the above draft permit, we are requesting that the State make a determination concerning certification. The State will be deemed to have waived its right to certify unless certification is received within 60 days of receipt of this request.

This certification should include the specific conditions necessary to assure compliance with applicable provisions of the Clean Water Act, Sections 208(e), 301, 302, 303, 306, and 307 and with appropriate requirements of State law. In addition, you should provide a statement of the extent to which each condition of the draft permit can be made less stringent without violating the requirements of State law. Failure to provide this statement for any condition waives the right to certify or object to any less stringent condition which may be established by EPA during the permit issuance process. If you believe that any conditions more stringent than those contained in the draft permit are necessary to meet the requirements of either the CWA or State law, you should include such conditions and, in each case, cite the CWA or State law reference upon which that condition is based. Failure to provide such a citation waives the right to certify as to that condition.

Reviews and appeals of limitations and conditions attributable to State certification shall be made through the applicable procedures of the State and may not be made through the applicable procedures

| CONCURRENCES | | | | | | | |
|--------------|---------|--------|--------|--------|--------|--|--|
| SYMBOL | WCC | WCP | | | | | |
| SURNAME | KS Chin | Grady | Pan | SILVA | GRIM | | |
| DATE | 7/5/86 | 8/5/86 | 8/6/86 | 8/7/86 | 8/7/86 | | |

The enclosed draft permit has been sent out on public notice for comment by the public. The period for public comment will expire on 9-18-86. Upon review of the public comments and receipt of your certification or waiver thereof, EPA proposes to issue or deny this permit.

I would appreciate receiving your certification as soon as possible, but no later than 60 days of receipt of this letter. If you have any questions, please contact Kenneth Chin, of my staff. He may be reached at 617-565-3504.

Thank you for your cooperation.

Sincerely yours,

Edward K. McSweeney, Chief
Compliance Branch

Enclosure

P 509 361 446

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

| | |
|--|--------------------|
| Sent to | Jack Bailey |
| Street and No. | 115 S. 1st St. |
| P.O., State and ZIP Code | Atlanta, Ga. 30303 |
| Postage | \$ |
| Certified Fee | |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | |
| Return Receipt Showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | \$ |

PS Form 3800, Feb. 1982

Postmark or Date

30 day
MA 00039B

SEP 3 1986

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jack Baily
 Manager of Safety & Security
 Acushnet Company
 Rubber Division
 744 Belleville Avenue
 New Bedford, MA - 02745

Re: NPDES Application No. *MA0003913*

Dear Mr. *Baily*

In accordance with Chapter 21, Sections 43-45 of the Massachusetts Clean Waters Act, as amended, and Section 402 of the Federal Clean Water Act, as amended, the Commonwealth of Massachusetts and the Environmental Protection Agency, Region I, intend to issue a National Pollutant Discharge Elimination System (NPDES) permit to your facility in the near future.

The enclosed draft permit has been developed by this office and the Massachusetts Division of Water Pollution Control (MDWPC) containing effluent limitations and conditions to assure that the discharge receives adequate treatment and will not violate water quality standards. Also, enclosed is the statement of basis or fact sheet which briefly describes the basis for the permit conditions. You are encouraged to closely review all terms and conditions contained in this draft. If you believe the permit does not accurately describe your discharge or contain a reasonable compliance schedule (where appropriate), you should notify each office, in writing, no later than the last day of the public comment period. Particular attention should be given to the following sections:

A. Effluent Limitations and Monitoring Requirements.

This section contains listings of effluent characteristics, discharge limitations and monitoring requirements. The effective dates for various requirements are listed.

B. Schedule of Compliance.

This section contains any schedule of compliance applicable to your facility. If a schedule of compliance is listed, please note your responsibilities for reporting compliance.

C. Monitoring and Reporting.

CONCURRENCES

| SYMBOL | This section contains your responsibilities for reporting monitoring results. | | | | | |
|---------|---|----------------|--|--|--|--|
| SURNAME | <i>36.512</i> | <i>2/11/87</i> | | | | |
| DATE | <i>K. 25</i> | <i>8/7</i> | | | | |

D. Other.

This section contains any other conditions specific to your facility not contained elsewhere in this permit.

Federal and Commonwealth law require public notice to be given of the preparation of a draft permit to allow opportunity for public comments and, if necessary, a public hearing. Concurrently with this letter EPA and the MDWPC have proceeded to publish the public notice of the proposed issuance of this permit. In order to preserve the right to a formal hearing to contest provisions in a final permit, all persons, including the applicant, who believe any condition of the draft is inappropriate must raise all reasonably ascertainable issues and submit all reasonable available arguments supporting their position by the close of the public comment period (40 C.F.R. §124.13). Following the close of the public comment period, your final permit will be issued providing no new substantial questions are raised. If new questions develop during the comment period, it may be necessary to draft a new permit, revise the statement of basis or fact sheet, and/or reopen the public comment period.

You should be aware that, if you discharge in the coastal zone, under the provisions of the Coastal Zone Management Act, 16 U.S.C. §1451 et seq., and its implementing regulations, EPA cannot issue an NPDES permit for your facility until you submit a certification that your activities will be consistent with the Massachusetts Coastal Zone Management ("CZM") policies and the state CZM office concurs with your certification. See 15 C.F.R. §930 et seq. and 40 C.F.R. §122.49(d). If you discharge in the coastal zone, you should therefore provide EPA and the state CZM office with the following statement: "The proposed activity complies with the policies of the Massachusetts approved coastal management program and will be conducted in a manner consistent with such policies". The Massachusetts CZM office will also need a copy of your permit application and enclosed draft permit in order to conduct a consistency review and issue a concurrence. Further information about this process may be obtained from the Massachusetts Coastal Zone Management Office, 100 Cambridge Street, Boston, MA 02202 Telephone 727-9530.

If you have any questions or would like to discuss any of the conditions contained in this draft permit, do not hesitate to contact Kenneth Chin of my staff. He may be reached at 617/565-3504.

Sincerely,

Edward K. McSweeney, Chief
Compliance Branch

Enclosure

cc: State

MASSACHUSETTS DIVISION OF
WATER POLLUTION CONTROL
COMMONWEALTH OF MASSACHUSETTS
1 WINTER STREET
BOSTON, MASSACHUSETTS 02108

U.S. ENVIRONMENTAL PROTECTION AGENCY
WATER MANAGEMENT DIVISION
COMPLIANCE BRANCH
REGION I
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203

JOINT PUBLIC NOTICE OF A DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE INTO THE WATERS OF THE UNITED STATES UNDER SECTIONS 301 AND 402 OF THE CLEAN WATER ACT (THE "ACT"), AS AMENDED, AND REQUEST FOR STATE CERTIFICATION UNDER SECTION 401 OF THE ACT.

DATE OF NOTICE: August 20, 1986

PERMIT NUMBER: MA0003913

STATE PERMIT NO.

PUBLIC NOTICE NUMBER: MA-96-86

NAME AND MAILING ADDRESS OF APPLICANT:

Acushnet Company
Rubber Division
744 Belleville Avenue
New Bedford, MA

NAME AND ADDRESS OF THE FACILITY WHERE DISCHARGE OCCURS:

Acushnet Company
Rubber Division
744 Belleville Avenue
New Bedford, MA

RECEIVING WATER: Acushnet River

RECEIVING WATER CLASSIFICATION: B

The facility which is the source of the wastewater discharge is engaged in the manufacturing of custom molded rubber parts. The discharge consists of belt cooling water, non-contact cooling water and storm runoff.

PREPARATION OF THE DRAFT PERMIT:

The U.S. Environmental Protection Agency, (EPA) and the Massachusetts Division of Water Pollution Control have cooperated in the development of a draft permit for the above identified facility. The effluent limits and permit conditions imposed have been drafted to assure that State Water Quality Standards and provisions of the Clean Water Act will be met. EPA has formally requested that the State certify the draft permit pursuant to Section 401 of the Clean Water Act and expects that the draft permit will be certified.

INFORMATION ABOUT THE DRAFT PERMIT:

A fact sheet or a statement of basis (describing the type of facility; type and quantity of wastes; a brief summary of the basis for the draft permit conditions; and significant factual, legal and policy questions considered in preparing the draft permit) may be obtained at no cost by writing or calling EPA's contact person named below:

Kenneth Chin
EPA Compliance Branch, Room 2103
JFK Federal Building
Boston, Massachusetts 02203
Telephone: 617/565-3504

The administrative record containing all documents relating to the draft permit is on file and may be inspected at the EPA Boston office mentioned above between 9:00 a.m. and 5:00 p.m., Monday through Friday, except holidays.

PUBLIC COMMENT AND REQUEST FOR PUBLIC HEARING:

All persons, including applicants, who believe any condition of the draft permit is inappropriate, must raise all issues and submit all available arguments and all supporting material for their arguments in full by September 18, 1986, to the U.S. EPA, Compliance Branch, JFK Federal Building, Boston, Massachusetts 02203. Any person, prior to such date, may submit a request in writing to EPA and the State Agency for a public hearing to consider the draft permit. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty days public notice whenever the Regional Administrator finds that response to this notice indicates significant public interest. In reaching a final decision on the draft permit the Regional Administrator will respond to all significant comments and make these responses available to the public at EPA's Boston office.

FINAL PERMIT DECISION AND APPEALS:

Following the close of the comment period, and after a public hearing, if such hearing is held, the Regional Administrator will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within 30 days following the notice of the final permit decision any interested person may submit a request for a formal hearing must satisfy the requirements of 40 C.F.R. §124.74, 48 Fed. Reg. 14279-14280 (April 1, 1983).

THOMAS MCMAHON, DIRECTOR
MASSACHUSETTS DIVISION
OF WATER POLLUTION CONTROL

DAVID A. FIERRA, DIRECTOR
WATER MANAGEMENT DIVISION
ENVIRONMENTAL PROTECTION AGENCY

SPECIAL DISTRIBUTION LIST

SUBJECT REVIEW COORDINATOR
Massachusetts Coastal Zone
Management Office
100 Cambridge Street
Room 2006
Boston, MA 02202

Mr. David Butterfield
Groundwater Management Chief
Vermont Department of Environ-
mental Engineering
State Office Building
Montpelier, VT 05602

Mr. Peter H. Oatis
Assistant Director of
Fisheries
Massachusetts Division of
Fisheries & Wildlife
Field Headquarters
Westboro, MA 01581

Mr. Steve Roberts
Assistant Chief Engineer
HWS & PCC
P.O. Box 95
Hazen Drive
Concord, NH 03301

John M. Cronan, Chief
Division of Fish & Wildlife
Government Center
Tower Hill Road
Wakefield, RI 02879

<--- All States

Mr. Donovan R. Bowley
Associate Planner/
SCC Project Manager
Water Supply Director, DEQE
One Winter Street
Boston, MA 02108

John A. Lyons, Chairman
Coastal Resources Management
Council
60 Davis Street
Providence, RI 02908

National Marine Fisheries
Service
Federal Building
4 Elm Street
Lowell, MA 01930

<-----All States ----->

William Lawless, P.E.
Chief, Regulatory Branch
U. S. Army Engineer
Division, New England
424 Trapelo Road
Waltham, MA 02254

Mr. Dennis DeCarli
Reservation & Conservation
Division
Department of Environmental
Protection
State Office Building
Hartford, CT 06115

Mr. Carmine DiBattista
Areawide Waste Treatment
Management Planning Board
P. O. Box 1088
209 Court Street
Middletown, CT 06457

Mr. W. Leigh Bridges
Assistant Director
Massachusetts Division of
Marine Fisheries
100 Cambridge Street
Boston, MA 02202

Mr. Wesley Winterbottom
Connecticut Department of
Environmental Protection
22 Washington Street
Hartford, CT 06155

Mr. Michael Annarummo
Rhode Island Department of
Environmental Management
Division of Water Resources
75 Davis Street, Health Bldg.
Providence, RI 02908

Delbert F. Downing, Chairman
N.H. Water Resources Board
37 Pleasant Street
P.O. Box 2008
Concord, NH 03301

Mr. Dick Valentinetti
Vermont Agency of Environmen-
tal Conservation
Department of Water Resources
State Office Building
Montpelier, VT 05602

NH - CT River ----->
MA - bordering VT ----->
Hoosic River ----->

Mr. Gary Shultz
Agency of Environmental
Conservation
Department of Water Resources
State Office Building
Montpelier, VT 05602

Gordon Beckett, Supervisor
Division of Ecological
Services
U. S. Fish & Wildlife Service
P. O. Box 1518
Concord, NH 03301

<----- All States

Mr. Spencer Appollonio
Department of Marine Resources
State Office Building
Augusta, ME 04333

Mr. Allen E. Peterson, Jr.
Division of Marine Fisheries
State Office Building
100 Cambridge Street
Boston, MA 02202

Mr. Steve E. Wright
Commissioner
Fish & Game Department
State Office Building
Montpelier, VT 05602

Mr. Charles E. Barry
Fish & Game Department
34 Bridge Street
Concord, NH 03301

Fred Schauffler, Executive
Engineer
New England Interstate Water
Pollution Control Commission
15 Merrimac Street
Boston, MA 02114

<----- All States----->

Mr. Arthur Jeffers
East Coast Regional Manager
Office of Coastal Zone Mgmt.
Sanctuary Programs Office
U. S. Department of Commerce
3300 Whitehaven Street, N.W.
Washington, D. C. 20235

Mr. DelVecchio
Maine State Planning Office
State House, Station 38
184 State Street
Augusta, ME 04333

State Historic Preservation
Office
6 Loudon Road
P. O. Box 856
Concord, NH 03301

Mr. Earle Sletteworth, Jr.
Director
Maine Historic Preservation
Commission
55 Capitol Avenue
Augusta, ME 04333

Norman Gordon, Vice President
David Gordon Associates
P.O. Box 96
90 Oak Street
Newton Upper Falls, MA 02164

<----- MA & NH only

Mr. John Ponsetto
Department of Water Resources
Agency of Environmental
Conservation
Montpelier, VT 05602

State
Applicant
City or Town.

John J. Warren, Ph.D.
Director
Science Resource Office
Room 312
State House
Boston, MA 02133

Ms. Trudy Cox
Executive Director
Save The Bay
154 Francis Street
Providence, RI 02903

Ms. Kim Sargovakian
Memtek Corporation
42 Cummings Park
Woburn, MA 01801

Ms. Rita Barron
Executive Director
Charles River Watershed
Association, Inc.
2391 Commonwealth Ave
Auburndale, MA 02166

Mr. L. Freed
Regional Environmental Council
P.O. Box 255
Worcester, MA 01613

Karl Hekler, Director
Berkshire County Regional
Planning Commission
10 Fenn Street
Pittsfield, MA 01201

Ms. Arleen O'Donnell
Director of Environmental
Affairs
Massachusetts Audubon
Society
Lincoln, MA 01773

Ms. Esther A. Snyder
Executive Director
Association for the Preservation
of Cape Cod
P. O. Box 636
Orleans, MA 02653

Penny Manchester, Chairman
Board of Selectmen
Town of Hopkinton
18 Main Street
Hopkinton, MA 01748

Mr. Stephen Reckhow
Director of Environmental
Planning
Southern Regional Planning
88 Broadway Street
Taunton, MA 02780

Mr. Roland Dupuis
Deputy Regional Engineer
DEQE
436 Dwight Street 4th Floor
Springfield, MA 01103

Victor Impemba, Chairman
Winthrop Planning Board
Town Hall
Winthrop, MA 02152

Mr. Ralph Perkins
Nashua River Watershed
Association
484 Main Street
Fitchburg, MA 01420

Mr. Alfred F. Ferullo
Director of Environmental
Quality
MDC
20 Somerset Street
Boston, MA 02108

Mr. Edward L. Spencer
Executive Director
Connecticut River
Watershed Council
125 Combs Road
Easthampton, MA 01027

Ellis G. Neofotistos, P.E.
Neofotistos, McRae & Associates
P. O. Box 1195
Lowell, MA 01853

Mr. Joel A. Lerner
Division of Conservation
Services
Leverett Saltonstall Bldg.
100 Cambridge Street
Boston, MA 02202

Mr. Gregory Smith
Merrimack River Watershed
Council
54 Portsmouth Street
Concord, NH 03301

Mr. Timothy W. Brennan
Executive Director
Pioneer Valley Planning
Commission
26 Central Street
West Springfield, MA 01089

Mr. Marco Kaltofen
c/o Greenpeace
139 Main Street
Cambridge, MA 02142

MASS.

Veronica C. Harrington, Chief
Permits Processing Section
Compliance Branch
U.S. EPA, Room 2109
JFK Federal Building
Boston, MA 02203

Robert F. Gift, Chief
Federal Services Division
National Park Service
143 S. Third Street
Philadelphia, PA 19106

Robert Mailloux, Jr., Esq.
P. O. Box 2297
Centerville, MA 02634

Mr. Richard M. Miller
American Ecology Services, Inc.
127 East 59 Street
New York, N.Y. 10022

Mr. Chris Zilles
Fort Howard Paper Company
P. O. Box 19130
Green Bay, WI 54307-9130

Mr. Anthony E. Perrotti
President
Rhode Island Analytical
Laboratories, Inc.
231 Elm Street
Warwick, RI 02888

Dr. John J. Cochran, P.E.
Cochran Associates Inc.
Consulting Engineers
236 Huntington Ave.
Boston, MA 02115

Mr. Edward F. Sanderson
Executive Director
Rhode Island Historical
Preservation Commission
Old State House
150 Benefit Street
Providence, RI 02903

Mr. Andrew F. Beliveau
Laboratory Manager
Briggs Associates
400 Hingham Street
Rockland, MA 02370

Richard A. Buck, Chairman
Restoration of Atlantic
Salmon in America, Inc.
P. O. Box 311
Dublin, NH 03444

John L. Daniels, Manager
Government Liaison Services
Whitman & Howard, Inc.
45 William Street
Wellesley, MA 02181

H. R. Wilson, Manager
H. A. Wilson Co.
P.O. Box 252
Lexington, MA 02173

Ms. Liz Goffinet
Environmental Scientist
CENTEC Corporation
11260 Roger Bacon Dr.
5th floor
Reston, VA 22090

William J. Walsh, Chief
Water Section
U.S., EPA
New England Regional Laboratory
60 Westview Street
Lexington, MA 02133

John M. Landers, President
Jack Landers Associates, Inc.
351 Main Street
P. O. Box 511
Wakefield, MA 01880

Ms. Aileen G. Katz
Action Chair
League of Women Voters of
New Hampshire
3 Pleasant St., Room 3
Concord, NH 03301

Edward L. Green, President
ETA Associates, Inc.
P. O. Box 13
Nonantum, MA 02195

Ms. Marcella Rauscher
Library Assistant
CES Library
Williams College
P. O. Box 632
Williamstown, MA 01267

Hugh F. Mulligan, Director
Gulf of Maine Research Ctr.
30 Church Street
Salem, MA 01970

Mr. Arthur J. Cunningham
Environmental Engineer
Mabbett Capaccio & Assoc., Inc.
2067 Massachusetts Ave.
Cambridge, MA 02140

Mr. Wayne Valentine
Project Manager
Custodis-Cottrell, Inc
P. O. Box 1500
Somerville, NJ 08876

Regional list